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12 Direct Lenders

13
14 UNITED STATES BANKRUPTCY COURT
15 DISTRICT OF NEVADA

16 —ooOoo—

17 In Re:
18 USA COMMERCIAL MORTGAGE
COMPANY,
Debtor.

Case Nos.:
BK-S-06-10725-LBR
BK-S-06-10726-LBR
BK-S-06-10727-LBR
BK-S-06-10728-LBR
BK-S-06-10729-LBR

19 _____/
20 In Re:
USA CAPITAL REALTY ADVISORS,
21 LLC,
Debtor.

JOINTLY ADMINISTERED
Chapter 11

22 In Re:
23 USA CAPITAL DIVERSIFIED TRUST
DEED FUND, LLC,
Debtor.

Hearing Date: n/a
Hearing Time: n/a

24 _____/
25 In re:
USA CAPITAL FIRST TRUST DEED
26 FUND, LLC,
Debtor.

**NOTICE OF INTENT NOT TO FILE
A MOTION FOR STAY PENDING
APPEAL IN THE BANKRUPTCY
COURT**

27 In re:
28 USA SECURITIES, LLC,
Debtor.

1 Affects:

2 ☒ All Debtors

3 ☐ USA Commercial Mortgage Company

4 ☐ USA Capital Realty Advisors, LLC

5 ☐ USA Capital Diversified Trust Deed Fund, LLC

6 ☐ USA Capital First Trust Deed Fund, LLC

7 ☐ USA Securities, LLC

8 _____/

9 The Lenders Protection Group, as identified on the *Statement Of The Law Offices*
 10 *Of Alan R. Smith Pursuant To Bankruptcy Rule 2019* filed herein on December 6, 2006,
 11 and as supplemented thereafter ("LPG"), through its counsel, Alan R. Smith, Esq., and
 12 joined by Charles B. Anderson Trust; Rita P. Anderson Trust; Baltes Company; Kehl
 13 Family Members and Mojave Canyon, Inc., represented by Janet L. Chubb, Esq., of Jones
 14 Vargas (the "Jones Vargas Direct Lenders") (the LPG and the Jones Vargas Direct
 15 Lenders shall collectively be referred to as "Appellants"), hereby provide notice that,
 16 based on the January 22, 2006, oral order of the United States District Court granting
 17 Appellees' *Joint Emergency Motion To Quash Stay Pending Appeal, Vacate Temporary Stay*
 18 *Order, And Refer Motion Stay Motion To The Bankruptcy Court* ("Quash Motion"), the Appellants
 19 will not be filing a motion for stay pending appeal in the Bankruptcy Court at this time.

20 **DATED** this 23rd day of January, 2007.

21 LAW OFFICES OF ALAN R. SMITH

22 /s/ Alan R. Smith

23 By

24 ALAN R. SMITH, ESQ.

25 Attorney for Lenders Protection Group